

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45790 of 2018

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1. Raja Ram Singh S/o Late Guljar Singh, R/o Vill.- Bagheji, P.S.- Barauli,
District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-08-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner has been in custody since 24.04.2018 in connection with Barauli P.S. Case No. 110/2018 registered for the offences punishable under Section 147/148/149/341/323/324/325/302/ of the Indian Penal Code.

Learned counsel for the petitioner submits that admittedly, there was a dispute between the parties and the allegation against all the accused persons are general and omnibus. The allegation that the petitioner had attacked the deceased and the injuries which resulted in his death, cannot particularly be attributed to the present petitioner in view of the fact that the allegation clearly states that as many as 9-10 persons attacked the deceased. So far as the petitioner is concerned, he is said to have attacked the deceased on his hand which resulted in fracture of his



finger. He thus, submits that since the allegation is not particularly attributed and the allegation is of having attacked on his hand, he may be extended the privilege of bail.

Diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that initially as many as 9-10 persons had attacked the deceased, but which of the accused persons had attacked on the head is not really clear from the diary also and the petitioner is said to have attacked on the hand which led to hurt in his finger.

Considering the entire gamut of circumstances and that the petitioner has got no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIV, Gopalganj, in connection with Barauli P.S. Case No. 110/2018, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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